

COMMISSION CONFERENCE**JUNE 19, 2001**

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Present: Mayor Naugle
Commissioners Hutchinson, Katz, Moore (2:07), and Smith

Also Present: City Manager, City Attorney, City Clerk, and Police Sergeant

I-A – Board of Adjustment Interview

The City Commission was scheduled to interview *Mr. Don Winsett* for an alternate vacancy on the Board of Adjustment, with a term expiring May 20, 2003. Mr. Winsett said that he had lived in Fort Lauderdale for 27 years and worked as the Director of Facilities for Westminster Academy and Coral Ridge Presbyterian Church. He explained that his job involved variances, ordinances, and Codes, and he believed he would be interested in serving on the Board of Adjustment. Mr. Winsett thought this would be an opportunity for him to do something for the community.

Commissioner Smith asked Mr. Winsett about his philosophies in terms of the rules that regulated the Board of Adjustment or if he felt there was room for flexibility. Mr. Winsett thought common sense should be employed to achieve a balance, but he realized there were rules that the Board had to live by.

Action: Additional action to be considered under Item III-B – Advisory Board Vacancies

At 2:07 P.M., Commissioner Moore arrived at the meeting.

I-B – Urban Design Committee

A discussion was scheduled on the follow-up recommendations from the Urban Design Committee in conjunction with developing a long-term design plan for the City. Commissioner Katz said that since she had been on the Commission, one of the most difficult issues she had faced had been approval of developments that did not fit the Commission's or the community's vision. She had also noticed that some very detailed plans were being made for the CRA and the Progresso-Flagler Heights area, so everyone knew where they were going in those particular areas, but that was not the case in the rest of the City.

Commissioner Katz stated that in November a group of people had come together at the Broward Center for the Performing Arts, and 3 nationally known speakers had been invited to address the group. During the meeting, connecting the pieces of urban landscape had been discussed. In addition, enhancing and protecting the City's natural assets had been considered, along with development of a long-term plan and vision for Fort Lauderdale. She stated that the group represented all the different disciplines. Commissioner Katz reported that representatives of the Downtown Development Authority (DDA), EDSA, developers, architects, and City staff.

Commissioner Katz advised that goals had been discussed at great length, and the group had felt that the ULDR was a little too rigid. She explained that the results were not the results desired, and she thought developers and the City Commission should try to “get on the same page” early in the process so there was no more bargaining about developments at the 11th hour. Commissioner Katz felt it was important for developers to understand what the City wanted early in the process.

Commissioner Katz stated that the group had discussed the need for a long-term plan and had outlined several goals. The first involved review of the ULDR leading to its modification with a goal of carrying out the plan and encouraging creativity and diversity of design. She stated that a volunteer committee had been formed for this purpose. The second goal had been to establish some sort of session in which developers and City Commissioners could work together in a planning exercise to find a way for developers to know with some certainty early on where the Commission wanted them to go. Commissioner Katz was concerned about developers who came in at the last minute with proposals that were the complete opposite of what was desired. She advised that another volunteer group had been formed to examine this issue.

At 2:10 P.M., Commissioner Moore left the meeting. He returned at 2:12 P.M.

Commissioner Katz said the last and most important goal was to establish a ground plan of the entire City showing existing and future recognizable and usable public/pedestrian spaces, which visually and physically connected the downtown to all neighborhoods and to the beach, and to consider possibilities for future transit system connections. She pointed out that there was no plan for how the whole City should look in the future, and how each of the areas tied into one another.

Commissioner Katz recommended that the City engage a consultant or consortium of consultants versed in urban design to provide services that fulfilled the goal of a ground plan. She explained that the consultant would evaluate all the open spaces and look at all the different plans that had been done and take an overall view in light of changes over the past 10 or 20 years. Commissioner Katz stated that Florida Atlantic University (FAU) was interested in being a partner in this effort. She had received an initial project outline of a pilot study FAU would do with the City in cooperation with the consultants. Commissioner Katz stated that classes would be held with respect to downtown design issues, catalog existing and proposed plans, and help with future grant funding. Mayor Naugle understood that would be the School of Architecture. Commissioner Katz agreed it would involve the School of Architecture, Planning, and GIS.

Commissioner Katz stated that a presentation would be made by EDSA at the end of July on a design initiative that had been started several years ago and tied in with this proposal. She explained that the EDSA study looked at a variety of projects that fit into the overall plan, and she thought it was interesting that the top priority was producing a long-term plan for the City of Fort Lauderdale.

Commissioner Katz noted that a copy of an article about St. Paul, Minnesota, had been distributed with the back-up material. It mentioned some of the same issues and explained how that community had pulled together an urban plan. After that City had started the process, the development community had established non-profit organizations that helped gather money and do whatever had been necessary to make it work. Commissioner Katz had recently found another article about the fact that Miami needed an urban plan, and she quoted parts of it describing the components of a good master plan. She hoped the Commission would support development and implementation of an urban vision for the city by 2011.

Mr. Bruce Chatterton, Construction Services, thought it was vitally important to avoid “planning fatigue.” He also felt it was important to develop a plan that utilized existing plans, as Commissioner Katz had mentioned. He had worked on Miami’s master plan, and that community had taken a “no new planning” stance. Basically, Miami had desired programming and visioning based upon planning that had already been done, and it had wanted transportation to be considered very carefully because it was the “glue” that held any urban design work together. Mr. Chatterton said that as a result, Miami had ended up with a plan that had evolved from work that had already been done and conglomerated all the individual area plans that had evolved through the years.

Mr. Anthony Abbate, Professor of Architecture at FAU, supported Commissioner Katz’s proposal. He felt the quotes from the article about Miami had been especially germane to this discussion. He believed a plan such as this had tremendous value and would affirm the community’s vision. Mr. Abbate noted that there had been various planning sessions held throughout the City in different areas but, without an overall comprehensive plan that accommodated those visions, there was nothing that confirmed them and could be provided to developers to guide the process of design and approval.

Ms. Margi Glavovic Nothard, Adjunct Professor at FAU, pondered the many intersections there were between the public and private realm. She felt this was an opportunity for everyone and expressed appreciation for Commissioner Katz’s efforts.

Dr. Peter Magyar, FAU, supported Commissioner Katz’s plan for the participation of the faculty/student group at FAU.

Mr. Don Singer said he had been an Architect in Fort Lauderdale since 1964. He was very excited about this idea, and he pointed out that Riverwalk was a specific example of the sort of thing that could result from this type of process. He felt it was a terrific example of a pedestrian environment created in the middle of a downtown area and, if the City could find a way to create that kind of environment throughout the City, Fort Lauderdale would be a world-class community. Mr. Singer applauded Commissioner Katz’s efforts and hoped the Commission would proceed.

Mayor Naugle said he agreed with everything Commissioner Katz had said with the exception of the notion that the City did not have a plan now. He pointed out that the Comprehensive Plan was like a “skeleton” in that it was kept in a closet, although it had largely been created by staff without a lot of outside expertise. Mayor Naugle thought the process should build on the Comprehensive Plan and ULDR, and he loved the idea of having the students at FAU being involved, even over the next 50 years so new ideas would be brought forth. He supported Commissioner Katz’s recommendations and pointed out that any plan should be a living document that evolved as conditions changed over time.

Commissioner Smith applauded Commissioner Katz for taking a look at the big picture, which was particularly difficult when Commissioners represented particular districts. He recalled that Mr. Don Zimmer had sent a lengthy document to the Commission about a year ago concerning contradictions contained in the ULDR, and he did not think anyone had really examined those issues. Commissioner Smith noted that the ULDR did not always use the simplest language, and Mayor Naugle agreed a simplification would be helpful. Commissioner Smith suggested that the volunteer committee start first with the contradictions Mr. Zimmer had pointed out. Commissioner Katz advised that Mr. Zimmer was the head of that committee.

Commissioner Smith understood the first goal was a real master plan for the entire City. He thought, however, that the process could be dangerous if it was not finely tuned in the RFP because such a planning effort could go on forever without accomplishing a great deal. Commissioner Smith noted that it would require at least touching on 60 or more neighborhoods, so the number of issues planned would have to be somewhat restricted.

Commissioner Smith referred to the suggested goal-setting session. He thought some threshold should be established in terms of size or the value of a project because he did not want the developers of every single project to come to the Commission because it would just be too time consuming. Commissioner Smith suggested a development section on the Commission's Conference agendas. Commissioner Katz said she had hoped the committee could come up with several ways of handling this for Commission consideration. Commissioner Smith wondered if the Design Review Committee (DRC) could be used in this context. Commissioner Katz agreed that might be one recommendation.

Commissioner Smith asked who had agreed to serve on the committee. Commissioner Katz replied that Doug Eagon and some architects had volunteered. She envisioned real people who were doing real work in the community serving on the committee. Commissioner Smith worried that these things could get to be too much of a "charette" or an academic exercise instead of a real plan that could be used. Commissioner Katz was not interested in anything that would be "put on a shelf."

Commissioner Hutchinson thought Commissioner Katz had done a wonderful job and applauded her efforts. She asked that the committee meetings be noticed so that Commissioners would have an opportunity to participate at that level. Mayor Naugle suggested that a page with information about the meetings be set up on the City's web site, and the information could be broadcast on cable television.

Commissioner Moore felt Commissioner Katz had shown a great deal leadership in addressing this issue. However, while he liked the "theory of thought" and participation of the community, he did not support the idea of issuing an RFP. He felt that "milked" the system and would result in a perpetual program of discussion and planning. Commissioner Moore thought the concept was wonderful, but it only utilized the "mind trust" available locally. He believed some outside expertise was important in addition to input from the local community and mentioned the ULI as an example. Commissioner Moore recalled that the ULI had done an excellent job in the past of helping the City to "break out of the paradigm and think outside the box."

Commissioner Moore did not see the need for an RFP to retain a consultant because there were other resources including the CAP process, planning staff, the Comprehensive Plan, etc. He supported the idea of these groups meeting to work toward an overall plan with public participation, but he did not understand the need to pay a consultant to coordinate it.

Commissioner Katz noted that when a consultant was hired, it was not just one person but a team of people who lived and worked locally. She also wanted to bring in some individuals from the outside as well, such as the speakers who had helped facilitate this process. Commissioner Moore asked if consideration had been given to including the ULI in this process. Commissioner Katz said there had not been discussion of the ULI as one of the respondents to the RFP. She had heard that when you were seeking help from these types of groups, one had to examine the cost and the result. Mayor Naugle thought there might be similar organizations attached to groups such as the American Institute of Architects (AIA). Commissioner Katz believed there was also a planning organization, but she thought someone had to take the lead.

Commissioner Smith did not believe the City had the staff in-house to bring this altogether. He believed they were already overloaded, but someone needed to compile all the different plans and “gel” them together. Mayor Naugle felt it would help to prevent some of the past mistakes. Commissioner Moore asked what the consultant would do exactly. Commissioner Katz thought the consultant would probably have to work with landscape architects, architects, urban planners, traffic planners, etc., to form a team and conduct research and connect the different pieces. Once this consultant team helped the City figure out what it wanted to be, it could be used to direct projects when they were presented for development.

Commissioner Smith felt these were reasons why he felt the RFP had to be very tightly structured. He thought it was important to decide how all the different areas in the City could be connected to the “hub” of urban activity. Commissioner Katz said that in addition to the RFP the committee had developed, staff had drafted another that was more specific. She had not distributed that one because she had not yet discussed it with anyone on the committee. Mayor Naugle suggested that this be brought back with a final recommendation on a drafted RFP.

The City Manager felt that when an RFP had been developed, the Commission could then decide if the scope was too broad or too narrow. Mayor Naugle wanted a budget developed as well. The City Manager agreed that would be necessary, and the RFP could be fine-tuned at another Conference discussion before its release. He thought that might give everyone a better idea of just how formidable a task this would be. The City Manager advised that the City had staff, but they were stretched very thin with a lot of different priorities. Commissioner Katz felt that staff had to be involved. The City Manager agreed staff would have to be involved, but being responsible for the whole task would disrupt the “Pending Items List.”

The City Manager said that this tied in with the task he had been charged with at the last meeting with respect to transportation and traffic situations. He believed this would be another element to incorporate, and there were various governmental entities involved, so it could not be handled from an isolated point of view.

Commissioner Smith felt that was a good way to proceed. He asked if a committee was going to fine-tune the other 2 recommendations for future consideration. Mayor Naugle did not think it would address specific projects so much as philosophies. Commissioner Katz agreed that was correct. Commissioner Smith was not sure what that meant. Mayor Naugle thought it meant philosophies about mixed uses, transit opportunities, funding mechanisms, pedestrian movement, etc.

Commissioner Smith noted that one of the goals involved sessions between the Commission and developers prior to architectural planning, so that had to involve specific projects. If not, he wondered if this was just another review of urban design standards that would be put in place so developers could check them off. Commissioner Katz thought it would first be a philosophy so staff could indicate the type of development the Commission was seeking in the different areas. Then, perhaps through the DRC process, there could be someone who could decide if a project was compatible with the surrounding community.

Commissioner Hutchinson thought there was an opportunity to incorporate this into the ULDR. If so, the Commission's goals would be in writing. Mayor Naugle felt input should be obtained from the Planning & Zoning Board. Everyone agreed that should be done before incorporation into the ULDR.

Mr. Singer said that an important thing to consider was that if there was an overall plan that dealt with the pedestrian infrastructure of the City and public space, the goal-setting sessions could involve partnerships with developers of major projects to address area needs. Commissioner Smith wondered if those could be attached to the current Level III review. Mr. Singer thought the committee could provide recommendations in that regard for Commission approval with the overall goal to make the City better.

Commissioner Moore could not figure out "what game he was in" based on his reading of the documents that had been distributed. He was not sure if this involved pedestrian issues, transportation issues, the public connections, or how a developer chose to develop a particular site. Commissioner Moore referred to the second paragraph of the document, which indicated agreement that individual buildings should make contributions to the overall Cityscape with an emphasis that size and height considerations would not be a primary factor to gauge the appropriateness of a building. Yet, it seemed the committee was going to address density, and it would also address connections between different areas of the City. Commissioner Moore was unclear as to whether the intent was to design buildings or to design public space that was pedestrian friendly and addressed mass transit connections.

Mr. Abbate said his first impulse was to respond that both were intended, but the primary focus was to establish performance standards that would set the groundwork. He explained that the ULDR currently had very proscriptive standards that were applied Citywide and could not really fit the range of products available. He felt performance standards would set the tone, and that was missing at the present time. Mr. Abbate explained that the performance standards could not be developed without a vision so both the buildings and the connections could be provided.

Commissioner Smith understood the first step was to develop the master plan. Mr. Abbate agreed once the ground rules had been set, the performance standards could be developed. Commissioner Moore understood the idea was that if a developer provided the pedestrian amenities called for in the master plan, a building could be taller or larger. Mayor Naugle agreed, but it would depend on all of the circumstances related to the building and its location. Commissioner Smith thought there would always be height considerations.

Commissioner Moore felt this idea had some validity, and everyone else seemed comfortable with it, so he suggested the Commission go forward. He did not have as much admiration for academia as did everyone else and preferred to deal with those who had made investments in projects. Commissioner Moore thought those individuals had practical knowledge, although the input of academia was also important.

Mayor Naugle asked if the process had been given a name. Commissioner Smith suggested "Vision 2011." It was agreed.

Action: As discussed.

At 2:57 P.M., Commissioner Moore left the meeting. He returned at 2:58 P.M.

I-C – Fort Lauderdale/Hollywood International Airport Expansion Project – 2020 Vision

A presentation was scheduled on the status of the Fort Lauderdale/Hollywood International Airport expansion project known as "2020 Vision." The City Manager recalled that the Commission had requested a presentation from the County, and *Mr. William Sherry* had accepted the invitation. He agreed that it was necessary to develop a vision before a plan could be developed to implement such a vision and make it a reality. Mr. Sherry stated that a "2020 Vision" plan had been developed for the Airport, and it was important to note that this was a vision and not a plan.

Mr. Sherry advised that this Vision had been presented to the Board of County Commissioners last month and had been unanimously approved. The County Commission had liked the vision and now expected staff to work with the consultants over the next 18 months to put together a master plan that would help determine whether it was viable and estimated the cost. A time frame would also be considered along with the environmental impacts. At the conclusion of the 18 months, the plan would be presented to the County Commission.

Mr. Sherry provided a history of the Airport dating back to 1980 when 5.7 million passengers were handled to last year, when 16 million passengers had gone through the Airport. In the year 2020, it was estimated that the Airport could be handling 45 million passengers, and the forecast range was between 32 million and 36 million passengers. At that time, this Airport would be comparable to Orlando International Airport or J.F. Kennedy Airport in New York. Mr. Sherry advised that the County Commission had come up with 5 goals for the Airport a few years ago. His assigned goal had involved Airport/Seaport synergy in order to coordinate these major economic engines to allow a seamless transfer.

Mr. Sherry noted that 2 of the other goals had been mass transit and economic development, and there were 3 key issues in the 2020 Vision plan. The first was an opportunity to become a world class, world recognized global destination. He reported that this Airport was the fastest growing airport in North America and the 8th fastest growing international airport. However, there was not currently a very strong international component. He advised that about 10% of the traffic was international, with the bulk being Canadian and Bahamian. Mr. Sherry added that the Airport had been extremely successful in domestic growth.

Mr. Sherry stated that some sort of an icon was going to be sought to make Fort Lauderdale a world known destination, and an intermodal complex was necessary to tie all the modes of transportation together. He pointed out that no mode of transportation could stand on its own, and he believed mass transit would work because it was better than the alternative – the automobile. Mr. Sherry believed that if it were easy to use mass transit, it would work just as it did in other urban areas.

Mr. Sherry noted that Fort Lauderdale was known as a low cost airport compared to others, so airlines were willing to provide additional service, but there were some large projects that were necessary. He stated that the south runway was essential in order to provide the capacity to meet growing demands, but it was a \$400 million project. Mr. Sherry advised that there were several funding options. One was adding the cost to the rate base, but that was not a desirable option because then the airlines lost interest. Another was to scale back on the development, but that would impact the service delivery standards. Mr. Sherry said that an economic catalyst had been projected into 2020 Vision to help generate money at the Airport to subsidize the capital development.

Mr. Sherry explained that this area had assets the Airport wanted to take advantage of and incorporate into this plan. To that end, an architectural icon was proposed that incorporated the area's blue waters, white sandy beaches, sunshine and palm trees. Mr. Sherry stated that making the transfer to Port Everglades easy and convenient was a primary consideration, and the 2020 Vision had a number of different components.

Mr. Sherry stated that the first part of the plan involved the south terminal building. A hotel complex with a world trade expo/intermodal facility was also proposed, along with a people-mover system and a connection with the TriRail. He displayed slides showing the current footprint of the Airport and advised that staff had researched other airports to take advantage of ideas that had worked well and to avoid those that had not.

Mr. Sherry discussed the proposed people-mover system. He stated that there were currently 4 terminals, and the campus was growing in size, making it more difficult for passengers to move between terminals. In addition, the walk from parking areas could be difficult. Therefore, a people-mover system was proposed to tie the terminals together, and a consolidated rental car facility was also proposed. Mr. Sherry stated that the people-mover system would be funded with Airport monies generated by its own fees, as opposed to tax dollars. He believed this system would be a catalyst, and it would involve a well-timed, elevated, light rail system.

Mr. Sherry said the next phase of the project involved tying the Airport into Mid Port with the people mover. Mayor Naugle asked if funding was available for that, and Mr. Sherry stated that multiple funding sources would be necessary. He reiterated that this was a vision as opposed to a plan so the funding sources had not yet been identified. Mr. Sherry thought a likely scenario would involve participation by the Airport and the Port, and there were State and federal monies available.

Commissioner Smith asked if Mr. Sherry was talking about something like a monorail. Mr. Sherry replied that was exactly what he was talking about. He stated that the next route would be through North Port and the Convention Center. Mr. Sherry reported that the Florida Department of Transportation (FDOT) was also working on a light rail system to tie I-595 into the TriRail. He stated that the TriRail had great promise, but it lacked sufficient frequency and connections. Therefore, a tie-in was particularly important. In the long range, he thought a spur down to Hollywood would be a good idea.

Mr. Sherry explained that Airport staff needed to know that this vision was acceptable to the community before proceeding further. Mayor Naugle asked how the terminals would be connected. Mr. Sherry said one problem was roadway congestion, and one of the causes was too many rental car buses, which would be addressed with the consolidated rental car facility. Another problem involved pedestrians crossing the roadways, so elevated sky bridges were proposed.

Mr. Sherry stated that an international terminal was necessary with federal inspection facilities. He described the proposed terminal, which incorporated a lot of glass and was tied in with the light rail system. He discussed the world trade expo, which provided the nucleus of the property and the identifying icon. A commercial office and hotel complex was proposed, and all third party development was involved. He explained that the basic infrastructure would be provided so third party development could occur as the market dictated. Mr. Sherry described some of the improvements proposed at street level to provide good surface transportation and four levels of parking.

Commissioner Smith asked when the south runway would be started. Mr. Sherry replied that the environmental impact study was currently underway, and he was hopeful that after 3 years of mitigation work construction could start in 2006 with completion by the end of 2010.

At 3:25 P.M., Commissioner Katz left the meeting. She returned at 3:30 P.M.

Commissioner Moore wondered if there was any vision of another airport in Broward County. Mr. Sherry said that had been discussed, but he did not believe that was a possibility. Mr. Chris Barton, Construction Services, wondered how many employees the expanded Airport would require and if any consideration had been given to housing. Mr. Sherry stated that the Airport currently supported 25,000 employees. Of those, 10,000 worked at the Airport with 15,000 others relying on the Airport for their livelihood. He pointed out that this would be a major economic engine, but issues such as these would have to be worked out as the plan was developed.

Mayor Naugle referred to the environmental considerations. He noted that Fort Lauderdale had a wetlands banking project in mind and was seeking a partner. Mr. Sherry stated that the Airport was always looking for partnerships opportunities, and Mayor Naugle thought there might also be some projects on the North Fork that could be used for mitigation purposes.

Mayor Naugle asked when this proposal would be presented to the City for formal approval. Mr. Sherry expected that to occur within 18 months. Mayor Naugle thought some method had to be found to deal with the transit portion of this proposal that would involved the Downtown Development Authority (DDA) and others.

Commissioner Hutchinson wished to take this opportunity to thank Mr. Sherry and his staff for working so closely with neighborhoods in her district with respect to the past expansion. She believed his staff was responsible for the 12-acre park and had done a wonderful job.

Mayor Naugle asked if there would be any lengthening of the diagonal runway. Mr. Sherry said he was only one person, but he would personally favor removal of that runway in its entirety because it was very noise sensitive, and he did not see a need for it any more. Mayor Naugle was glad to hear that, as was Commissioner Hutchinson.

Mayor Naugle noted that the City had good people serving on its Aviation Advisory Board who might be able to provide some valuable input on this plan. The City Manager believed a similar presentation could be arranged for the Aviation Advisory Board.

Action: As discussed.

I-E – Parking Division CALM Committee

A presentation was scheduled by the Parking Division CALM Committee on its accomplishments. Mr. Bud Bentley, Assistant City Manager, said he had received a copy of the Public Employee Relations Commission order dismissing a petition filed by AFSCME just before noon today. Although there was an appeal process, it appeared there would be a transition period, and this presentation included some future recommendations that would involve the future bargaining unit representative if they met with the favor of the Commission.

Mr. Bruce Larkin, Director of Administrative Services, stated that a great deal of hard work had initiative had been applied through the CALM process in order to improve the operation of the Parking Division. He noted that quality improvement was a continuous process, and he felt some remarkable changes had been accomplished.

Mr. James Hamel, Parking Meter Mechanic, displayed a flow chart demonstrating a conversion to a skill-based system to provide increased flexibility, cross training, and a natural job progression within the Department. It would allow employees to progress at their own pace and train for jobs as they became available. Mr. Hamel noted that the number of multi-space machines in Fort Lauderdale had doubled over the past 5 years, and revenues had increased by approximately 88%. He advised that there were currently 5 different types of multi-space meters, and all were capable of accepting bills, coins and credit cards.

Mr. Hamel explained that the multi-space machines had sophisticated electronics systems that enabled the communicating and processing of information, and they required qualified technicians to maintain a high level of service and profitability. He reported that a Training Manual had been developed, and each trainee would be trained and tested on each level before moving on to the next level.

Mr. Hamel stated that there were 3,600 single-space meters in the City, and 2,000 of those were digital and more had been ordered. Revenues from the single-space meters had increased 25% to \$1,957,000 per year. He advised that the Training Manual included on-the-job training in the field, and copies of the Manual had been provided for review.

Commissioner Smith asked Mr. Hamel if he had found the Schlumberg meters reliable. He had found them very reliable. Mayor Naugle recalled that there had been a lot of complaints when they had initially been installed, but the problem must have been resolved because he was not receiving complaints any longer.

Mr. Allen Oliphant, Senior Parking Service Officer, described the improvements made in the area of parking enforcement and introduced Ms. Laurie Conver, who discussed improvements in customer services. She thanked the Commission for its approval of a new computer program and said staff was anxious to start working with a system that was much more user friendly and efficient, resulting in increased productivity and customer satisfaction. Mr. Richard Stapleton provided a report on security and maintenance activities within the Parking Division.

Mr. Doug Gottshall, Parking and central Services Manager, stated that there had been numerous improvements made in the Division, including improvements in the hiring and training processes; retention of employees; development of standard operating procedures; and, development of a mission statement:

Dedicated to providing safe and convenient parking in a professional, efficient, and innovative manner.

Mr. Gottshall stated that staff intended to work in a progressive manner to develop alternatives to solve problems as they arose. He felt great strides had been made, and he was proud of the entire organization. Mr. Gottshall expressed appreciation to the many employees who had provided assistance.

Commissioner Moore inquired about the cost of the new positions. Mayor Naugle believed those new positions would have to be approved by the Commission, and he was sure information about costs would be provided at that time. Commissioner Moore inquired about the difficulties associated with polygraph testing. Mr. Gottshall stated that many candidates failed the polygraph test late in the recruitment process, so candidates were now being "pre-screened" and the quality of candidates was improving with fewer and fewer problems associated with the polygraph testing.

Commissioner Smith wondered how often Parking Division security patrols came across automobile burglaries. Mr. Stapleton replied that occurred sometimes, particularly in the downtown area, and Fort Lauderdale Police Department detail officers were provided that Parking staff could communicate with by radio. In addition, the City had a contract with Navarro Security to provide patrols in the various parking facilities.

Commissioner Katz thought it sounded as if great strides had been made. Commissioner Moore agreed and was very supportive of the CALM concept. The City Manager agreed the process allowed partnerships between labor and management to address common goals.

Action: As discussed.

At 4:02 P.M., the meeting was recessed. It was reconvened at 4:12 P.M. Commissioner Moore returned to the meeting at 4:15 P.M.

I-D – AT&T Broadband Cable Franchise Renewal Negotiations and Cable Television Alternatives

A discussion was scheduled on the status of the AT&T Broadband cable franchise renewal negotiations and cable television alternatives. Mr. Bruce Larkin, Director of Administrative Services, reported that an impasse had been reached in these informal negotiations for a renewed franchise. He stated that the impasse issue was the high speed Internet access, and staff had endeavored to incorporate that requirement into the agreement when the facilities upgrade allowed it. Mayor Naugle noted this was something that the previous cable company had promised in 1998. Mr. Larkin agreed that was correct.

Mr. Larkin stated that all the other substantive issues had been agreed upon, but some direction was needed from the Commission about the possible alternatives as outlined in the written report distributed to the Commission with respect to high speed Internet access. He explained that AT&T's position was that the City did not have the legal authority to require them to provide this service in the franchise agreement.

Mr. Larkin advised that Mr. Adrian Herbst, the City's consultant, had indicated there was a formal process for assessing community needs that could be undertaken. Assuming a showing that high speed access was a community need, it could then be made a part of the requirements. At that point, AT&T would have to respond to those requirements with a proposal. Staff would then analyze the proposal and present it to the Commission. He explained that if the proposal was not accepted, there would be administrative hearings and the ultimate potential for intervention by the courts.

Mr. Larkin stated that short of that, there were some other options to consider. Although the company was not willing to stipulate in the franchise documents that it would provide high speed Internet access, it was willing to consider a separate memorandum of understanding to commit to providing that service if certain trigger points were met. Those trigger points involved one event that at least 40% of South Florida AT&T customers who were offered the service then subscribed. Mr. Larkin believed that was unrealistically high since the national average was 10%. The other event was when the service was offered to 60% of its customers. He advised that it was currently offered to about 30%, so neither event was really likely to occur. As a result, the recommendation was to essentially "stand pat" for one more year and extend the existing franchise with the Memorandum of Understanding already in effect that provided for a system upgrade and language related to an institutional network.

Mayor Naugle requested a copy of that document. Mr. Larkin provided it and noted that the upgrade was not due to begin until December, 2002, and the franchise extension would be to June, 2002. He advised that if the FCC and the courts were to provide more clarity in this area, the negotiations could be continued and invoke the formal process, if necessary. He stated that if the FCC ruled in another direction and indicated the City did not have the authority to make those requirements, at least the options would be known.

Mr. Adrian Herbst stated that when cable operators requested renewal of the franchise, there were certain choices available to local governments. For example, they could elect to work with the cable operators in an informal process to negotiate a new franchise arrangement. A formal process was also possible. Mr. Herbst said that when this process had been started, the City had been working with the operator in order to avoid an adversarial process. He stated that a formal process would require a community needs assessment by the City to document and support its requirements for renewal. Once done, a formal request for proposal had to be submitted to the cable operator, and the City then had to hold a public hearing on the proposal submitted.

Mr. Herbst stated that within 4 months, the City had to either deny or approve the request for renewal. Then, the cable operator had the right to request an administrative hearing, and the results were evaluated. At that time, the City either supported or rejected its original decision or went on to the courts. He said the formal process was not recommended at this time because there had been positive progress in the informal process. On the other hand, impasse had been reached on the issue of high speed Internet access.

Mr. Herbst felt there were a number of important factors. For example, the entire issue of modem and Internet service was under review by the United States Supreme Court and the FCC. He advised that the intent was to shape a national policy about the overall issue because it was not really defined under the law at the present time. If it were determined not to be cable service, but a telecommunications service or some other type of service, a local franchise could not govern. He reported that cable modem service was in its infancy, and only about 10% of those who had it available actually subscribed to the service. Mr. Herbst felt the economies of the situation would change as more and more people subscribed to the service. He was hopeful that there would be some change in a year if this franchise was renewed.

Mr. Herbst thought that renewing the franchise would allow the City time to step back and conduct a survey to determine the community's needs and interests to be in a more effective negotiating position. He had also observed that there was a shift across the country away from local-type service to more of a global attitude. Mr. Herbst stated that AT&T considered cable modem service in terms of the whole Southeast Florida area rather than as a local issue. At this time, he recommended the one-year extension in order to avoid the formal process.

Mayor Naugle wondered if Rick Bailey was present as he had signed the Memorandum of Understanding. Mr. Herbst believed he was AT&T's general counsel. Mayor Naugle noted that the Memorandum of Understanding indicated that high speed Internet access would be rolled out within 18 to 24 months. He wondered why that was not being enforced and why the City would continue to do business with a company that did not fulfill its obligations. Mr. Herbst stated that the law assumed renewal until a formal decision against it had been made.

Mr. Larkin said that AT&T's position was that at the time the Memorandum of Understanding had been approved, the intent had been to upgrade the system to create the capacity for high speed Internet access, but that it had not been an obligation to roll out that service. As a party to that process, that had not been his impression, and there had been some statements made to the Commission at the time that seemed to indicate that the language meant something different.

Commissioner Smith said he had spent a lot of time talking with Mr. Larkin and Mr. Herbst and researching this issue. As a matter of fact, he had been approached by another consultant who had handled the RCN overbuild for Philadelphia, and he had reached the same conclusion as Mr. Herbst and Mr. Larkin. Commissioner Smith believed the problem was the Federal Cable Act. He stated that if compliance audits and complaints were documented, the City would be able to deny the franchise a year from now and consider other alternatives. However, if that was done now, he believed the City would be sued and would probably lose because a case had not yet been built.

Commissioner Smith was more concerned about the services that had not been provided to the citizens of Fort Lauderdale. He pointed out that very few issues rose to this level in which all of the citizens were dissatisfied. Commissioner Smith felt the situation had gone from bad to worse, and the way AT&T was operating was unacceptable. He stated that the City would examine every option it could find, whether it involve satellite service or taking over the service municipally because its citizenry was no longer willing to tolerate the arrogance and poor service.

Commissioner Smith had received dozens of letters about people who had to wait on the phone for over an hour. One man had been cut off 4 times after waiting 20 minutes on the phone each time. He was extremely frustrated, and it did not appear AT&T would provide acceptable service.

Commissioner Katz said she had been told that the channels were degrading, and she wondered if there was any reason to continue negotiating over the next 60 days or so. She also wondered if a 3- or 6-month renewal was an option as opposed to one year. Mayor Naugle suggested it be on the agenda every 30 days.

Mr. Herbst explained that this would be an extension of the existing franchise as opposed to a new franchise. In terms of customer service, federal law allowed local government to implement customer service standards in an ordinance, and the City of Fort Lauderdale had done that. He stated that if the City enforced those standards, there should not be those kinds of problems because those standards included such things as answering the phone within 30 seconds and not keeping people on hold for longer than 30 seconds. Commissioner Smith asked what kind of record would be necessary. Mr. Herbst thought it was a matter of putting AT&T on notice and provide an opportunity to cure the problem. If the problem was not cured, there were default penalties.

Mayor Naugle asked the Memorandum of Understanding could be enforced if the franchise was extended. Mr. Larkin replied it could and that was an important reason to keep the existing franchise in place while other options were pursued and a record built. Mr. Herbst noted that Section 4 of the extension stated that any lawfully executed documents would remain in effect and were enforceable. Mayor Naugle believed that was also true of Option 4. Mr. Larkin stated that would invoke the formal process. Commissioner Smith thought it was necessary to build a case in order to be successful in the formal review process.

Mayor Naugle suggested that a questionnaire be sent out to residents about the service. Mr. Larkin agreed he was recommending the use of a professional polling or surveying group as the City did for its annual citizen survey about municipal services. He believed that would provide a clear record of the citizens' feelings about the services they were receiving and about their future needs.

Commissioner Katz asked if a shorter extension was possible. Mr. Herbst replied there was no set time period, and a year had been suggested because of the Supreme Court proceedings. He felt that once those decisions had been made, things would be clearer, and this franchise could be renewed month-to-month if that was the Commission's desire.

Commissioner Moore complimented staff and the consultant on the documents presented. He suggested the Commission support a 30-day extension of the franchise and contact other municipalities in Broward County in an effort to build a team. He thought it would be helpful to work together with the other cities dealing with AT&T, and then a 6-month extension could be considered. At the same time, he felt Option 4 should be pursued. Commissioner Moore agreed that the situation with cable services was disgraceful. He believed AT&T only met 1 of the 4 criteria. Commissioner Moore thought the other possibilities could be explored in the meantime as well, but he felt a one-year extension was out of the question.

Mr. Larkin explained that it would take 9 to 12 months to prepare for the 4-month formal process. Mr. Herbst agreed a case had to be built, and there were some issues pending with respect to modem service. Rather than triggering the formal process at this time, he suggested extending the existing franchise and building a record. Once the other issues were clarified, the formal process could be invoked.

Commissioner Moore thought he needed greater clarity about the formal process and wanted additional dialogue over the next 30 days on that issue. However, there was a local ordinance that AT&T was violating, and he wondered what kind of penalties could be imposed. Mr. Larkin thought the greatest complaint seemed to involve the call center and the amount of time customers were kept on hold. He stated that these issues were examined on a quarterly basis, and the most recent quarter expired at the end of June. AT&T was then required to provide a report by July 15, 2001, and the City could then advise the company whether it was or was not in conformance. He explained that then there was a process to allow them to comply. Commissioner Smith thought one problem was that AT&T was the keeper of the complaints. Mr. Larkin stated that the City had the right to examine the records. He advised that the company then was allowed 30 days to cure any situations, and fines could be imposed if that did not occur. Commissioner Moore inquired as to the maximum fine. Mr. Larkin replied the fine for non-compliance with telephone standards was \$5,000.

Mr. Larkin noted that the City Manager had the authority to execute extensions of up to 6 months, so he could execute the first 30-day extension, and he would bring another back to the Commission after that.

Mr. Al Julius, 2732 Northeast 35th Street, was pleased that this Commission was standing up to AT&T. He felt AT&T had been ignoring the public. He stated that he had been cut off several times after being on hold for almost 20 minutes each time. When he had finally received an answer, he had been told he could not speak to a supervisor. He did not believe AT&T would provide records of complaints, and they did not care. Mr. Julius hoped the City would give AT&T nothing, and he added that the last act of Comcast had been to double bill him.

Mr. Edward T. Rudder, 936 Intracoastal Drive, felt Mr. Herbst and Mr. Larkin had provided excellent advice. He had come to this meeting at the request of Commissioner Smith, and there were two issues. One was a non-compliance issue in terms of dealing with complaints, and he believed that could lead to non-renewal. The second issue was the formal process, and it would cost a lot of money to determine the community's needs. Mr. Rudder noted that even if it could be shown that the community needed high-speed Internet access, it did not mean the cable operator had to meet that need if it would not be economically viable.

Mr. Rudder believed the City could deal with complaints of poor service immediately. He noted that the City's definition of a complaint could be entirely different from AT&T's definition. Mr. Rudder understood that some cable operators did not consider anything a complaint unless it came from the City itself, so the City might think there were 100 complaints, while the cable operator had a record of only 2. He thought the first thing to do would be to open up a dialog and start documenting complaints, and it appeared the only need not being fulfilled was high-speed Internet access, so he suggested the City find out why it was not being provided.

Mr. Larkin noted that the definition of a complaint was included in the ordinance. Commissioner Hutchinson said she had experienced the same types of problems as Mr. Julius described, and then she realized she had another number, but she had never spoken with a person.

Mr. Michael Kasten, President of the Council of Fort Lauderdale Civic Associations, said he could work with the City Manager on a survey to be included in the newsletters of all the neighborhood associations.

Commissioner Moore suggested that the phone number to call with complaints could be broadcast during the televised City Commission meetings. He also wondered if the ordinance could be amended to impose greater fines than \$5,000. Mayor Naugle added that the phone number could be sent out to customers with their water bills. The City Manager wanted to take advantage of all these opportunities to communicate the information, and several media could be utilized.

At 5:05 P.M., Commissioner Hutchinson left the meeting. She returned at 5:06 P.M.

The City Manager advised that staff would bring a recommendation in this regard back to the Commission. *Ms. Susan Bisno*, of AT&T, said she would find out how complaints were logged and research the definition of "complaint."

Action: As discussed.

I-F – Regulation of Outdoor Display and Sale of Merchandise and Holiday Sales

A discussion was scheduled about the outdoor display and sale of merchandise in non-residential zoning districts, and holiday sales within the City. Notice of the public discussion was published on June 9, 2001. *Ms. Christine Fisher*, Office of Community & Comprehensive Planning, explained that the City Commission had asked staff to examine the idea of expanding the limitations of Section 47-18.15 regarding to holiday-related merchandise and outdoor sales. She stated that there were 2 issues related to this subject on the Pending Items List, and staff would provide a recommendation regarding the outdoor sale of seasonal merchandise at a later date after meeting with the City Attorney's Office with respect to certain separation of church and state issues.

Ms. Fisher said that the issue today related to the sale of merchandise outside a principal commercial structure. She advised that staff had reviewed the issue and examined practices in other cities. Benefits and concerns had been outlined in the written report distributed in connection with this item, and staff thought it would be beneficial to permit the activity subject to certain criteria. She noted that suggested criteria had also been distributed. *Ms. Fisher* believed the criteria would address the concerns that had been raised, but staff also suggested a six-month trial period within the Downtown Regional Activity Center (RAC) in order to fully analyze any impacts on the community.

Ms. Fisher desired Commission input as to whether or not staff should proceed with developing an ordinance and procedure to allow the display of merchandise outdoors for special sales events. Mayor Naugle wondered if anyone had asked to do this. It had been so long since the issue had arisen that he could not recall the reason. Commissioner Smith said Sears & Roebuck had contacted him a couple of years ago and indicated Fort Lauderdale was the only community in which they could not have their promotional sales outside a couple of times per year.

Commissioner Moore suggested an ordinance that allowed such sales if they were associated with retail stores of more than 50,000 square feet. Commissioner Smith believed only large stores would be able to meet the criteria suggested by staff. Mayor Naugle noted that this proposal to try the process in the RAC would not even apply to Sears. Commissioner Hutchinson understood the Las Olas Merchants Association had applied for a sidewalk sale and were denied. Commissioner Smith believed Sears was within the RAC.

Commissioner Moore said he could support this idea if the stores had a certain amount of square footage. Commissioner Katz noted that if this opportunity was opened for one store, it would be open to all the others, and she was concerned about the tacky appearance of merchandise along the sidewalks. Commissioner Moore agreed he did not want to open up this door to every retail establishment. Mayor Naugle believed permits for tent sales could be obtained. Commissioner Smith understood that was only true for holiday sales.

Commissioner Smith pointed out that staff proposed numerous requirements, which should limit the stores that would abide by such regulations. Commissioner Moore preferred that a certain level of square footage be required. Mayor Naugle was concerned that doing so would give very large merchants an advantage over the smaller stores. Commissioner Smith supported a trial period, but it was the consensus of the Commission not to move forward in this respect.

Action: Disapproved.

**I-G – Selection of Community Leadership Committee (CLC) –
South Area Community Area Planning (CAP) Initiative**

A discussion was scheduled on the selection of 25 community members (5 from the Mayor and each City Commissioner) for the South Area CAP CLC. Commissioner Smith nominated Yvonne Burton, Cathy Gross, Ginnee Hancock, Sara Horn, and Reverend Prevoit. Commissioner Katz nominated Paul Finizio, Kathy Preston, Charles Radkowski, David Rose, and Craig F. Barry. Commissioner Moore nominated Mercedes Brown, Bob Cantrell, Pastor James Cox, Evelyn Mertz, and Roger Suarez. Commissioner Hutchinson nominated Jacqueline Degwert, Jeryl Madfis, Audrey Ring, William Saunders, and Ruth L. Stacy. Mayor Naugle nominated Tanner Demmery, Dr. Merv Dixon, Jan Milbyer, Virgil Niederriter, and Ray Nielson.

Mr. Chris Wren, Construction Services, stated that no one was turned away from the meetings, although staff felt the CLC should be kept to a voting membership of 25 individuals. He advised that staff had found some people did not attend the meetings regularly, and all participation was welcome. Commissioner Hutchinson asked staff to keep the Commission informed if there were participants who did not attend the meetings regularly. Then, the Commission could appoint additional members.

Action: Committee appointed as discussed.

II-A – Regulation of Marine Vessels Conducting Commercial Activity on the City's Waterways

A report was presented on the proposed regulation of marine vessels conducting commercial activity on a waterway within the City. Notice of the discussion was published on June 9, 2001. Mayor Naugle noted that the Marine Advisory Board had discussed this issue and was under the impression that this activity was against existing laws, but that they were not being enforced. The City Manager agreed the Board had seemed to end its discussion by suggesting that the City enforce existing regulations. However, he did not believe there were any regulations specific to this issue.

The City Attorney stated that staff had spent a lot of time examining this issue without reaching a satisfactory conclusion. He did not believe the City had a specific regulation at the moment that covered this problem. The City Attorney advised that when people referred to existing regulations, they were referring to concepts of land use and zoning. He noted that zoning requirements typically extended into the waterways, and those notions led people to believe the City had laws that could be enforced. However, that enforcement activity went to the land owner and not to someone traveling about the waterways stopping occasionally and using radios to make appointments for customers to come to them.

Mayor Naugle understood this activity was not currently allowed. The City Attorney clarified that the activities were not expressly addressed by the Code. However, he believed staff could quickly develop criteria and regulations to address the activity and then enforce it. He advised that was staff's recommendation, and that of the Marine Advisory Board, if the Commission wanted to control the activity. Mayor Naugle asked the City Attorney if he anticipated setting up zones where these activities would be allowed and areas where it would be prohibited. The City Attorney felt that was a determination for the City Commission.

Commissioner Moore did not understand why the Marine Advisory Board had been confused about this issue. He recalled a situation dealing with pump-out stations, and a pump-out boat service had been discussed. He did not understand the difference between pumping sewage out of boats at docks and these other activities.

Mayor Naugle thought there were 2 frustrations. One involved property owners who lived on the water in a residential neighborhood who objected to commercial activity taking place in their back yards. Commissioner Moore did not see the difference between selling fuel, for example, or collecting sewage. Mayor Naugle explained that the fuel boats were setting up in the middle of the wet streets to serve boats passing in the waterway as opposed to boats docked behind a house. The other objection involved the commercial marinas, which had to comply with all sorts of regulations at great expense, competing with someone who could offer the product at much less price to consumers because he did not have the operator.

Commissioner Smith noted that nothing precluded marinas from providing similar services. Commissioner Moore thought the same argument could be made for restaurants competing with hot dog stands. Mayor Naugle thought the problem in this case was that the marinas had to comply with environmental regulations, but vessels dispensing fuel did not and could leak fuel, etc. Commissioner Smith had not heard of any fuel spills.

Commissioner Katz asked if the City had jurisdiction over the waterways. The City Attorney stated that the City could regulate operation of a business within City waterways. He noted that the City could not regulate navigation or the equipping of vessels, but operating businesses could be regulated through zoning and land use regulations. He noted that the City did not have jurisdiction in the channel of the Intracoastal Waterway, but he did not believe vessels were permitted to “spud down” in the navigable channel in any case. The City Attorney felt this was a situation in which technology had gotten ahead of the Code.

Mr. Walter McCrory said he was a 22-year resident of Coral Way at the Intracoastal Waterway and the New River. He stated that he had never envisioned a gas station opening right outside his door when he had purchased his home, but that was what was happening. Mr. McCrory thought the greater issue was whether or not the City was going to allow its waterways to become a Mecca for commercial activities. He pointed out that various products could be sold from vessels. Mr. McCrory thought it was appropriate to invite someone to his home to wash his car, but it would be inappropriate for someone to set up a car wash business in front of his house.

Mr. McCrory thought the size of the problem was also an issue. For example, if a car wash set up in the street outside a home and occasionally washed 18-wheelers, it would be similar to the Jungle Queen taking on fuel behind his house. He did not feel this activity was appropriate in a residential neighborhood. Mr. McCrory had a December 15th letter written by the Zoning Administrator that indicated that delivery fuel to a private residence was not a violation if the vendor was responding to a predetermined sales delivery request. However, a violation occurred when a mobile fueling vessel stopped and established itself in a public right-of-way to create a stationary business for passing vessels. He noted that the letter also indicated that this practice was expressly prohibited.

Commissioner Moore asked if fueling was taking place in residential areas. The City Attorney stated that if the fuel barge anchored on either side of the navigable channel, it would still be close to one bank or the other.

Ms. Andrea Murvine, of Peterson Fuel, stated that the operation followed all rules and regulations of the United States Coast Guard, which licensed and regulated the business. She stated that the vessel stayed outside the navigable channels, and it occasionally fueled in the area near Mr. McCrory’s home referred to as “the triangle.” She said there had been 2 fill-ups in the last 8 weeks in that location, and the vessel also went to private homes. Ms. Murvine stated that Peterson Fuel did not just set up a location and wait for customers to find them, rather everything was by appointment.

Mayor Naugle requested a map showing where business operations about the waterway and where something like this could be permitted. He suggested an ordinance that would not allow “spudding down” in residential areas but allow it in commercial areas, and still allow it in residential areas by appointment only at someone’s house. Mayor Naugle thought that would be a fair way to address the problem.

Commissioner Moore thought the Zoning Administrator’s description of appropriate operations was a fair interpretation of existing rules.

Ms. Murvine pointed out that areas along the Intracoastal Waterway and the New River did primarily have residential uses on the banks. She noted that the Marine Advisory Board had not been able to identify what areas would be appropriate. Ms. Murvine pointed out that this was the "Yachting Capital of the World," and this business provided a very necessary service. She believed this was a better and safer method of dispensing fuel to vessels, and there were very limited areas with commercial zoning.

Commissioner Smith wanted to explore every possible location, and the operator would still be able to go to customers' homes. Ms. Murvine said she had requested a map from the state as suggested by Mayor Naugle, but she had not received it. Mayor Naugle believed the City could develop an appropriate zoning map.

Ms. Murvine stated that she was somewhat naïve about the political scene, and Mr. Peterson had not realized the situation. She believed this was a better way of dispensing fuel and created competition by forcing marinas that were making 100% profit on their diesel to lower their prices. She also reported that former Mayor Bob Cox had been a force in why this issue had come to forefront. Ms. Murvine recalled a similar issue involving fuel trucks providing service to boats docked at people's homes. She noted that this issue had been placed on the Pending Items List, and then the fueling vessels had come under fire. Ms. Murvine was concerned because the ground rules kept changing.

Commissioner Smith thought this operation would be fine once some locations that were less obnoxious to homeowners had been identified. Ms. Murvine hoped the Commission would take the history of the issue into consideration.

Mr. Paul Flanigan said he lived on Idlewyld Drive, and he was present to support the Peterson Fuel business. He felt it provided a very valuable service to this community, which was dependent upon the marine industry. Mr. Flanigan felt Peterson Fuel had hit a market niche, and it had generated competition. He thought this was unique to Fort Lauderdale, much like the water taxi, and he hoped the City could accommodate the operation.

Mayor Naugle explained that the direction being taken would allow the operation. Commissioner Smith added that the locations where the vessel would be allowed to spud down might be limited, but more appropriate locations would be examined.

Action: As discussed.

II-B – Budget Forecast for Fiscal Year 2001/2002

A report was presented on the tentative budget forecast for fiscal year 2001/2002. Commissioner Katz referred to leveraging resources for the Community Redevelopment Agency, the Water & Sewer Master Plan, Construction Services space allocation, and the Community Area Planning process. She had thought someone was going to indicate how much that would all cost. The City Manager said that when he presented the recommended budget, specific figures would be provided. Mr. Bud Bentley, Assistant City Manager, advised that Commissioner Katz had directed that question to him, and he had been working on a summary so the Commission could track the items over time.

Commissioner Smith desired information about the current vacancy rate in the Police Department. The City Manager agreed to provide that information.

Mayor Naugle asked if the City made efforts to collect delinquent taxes. Mr. Terry Sharp, Assistant Director of Finance, stated that the City relied on the County Revenue Collector, and the City's collection rate was 98.5%. The City Manager added that the taxes were not 100% collected in the fiscal year in which they were levied. Mayor Naugle requested a report on delinquent taxes.

Action: As discussed.

II-C – Sanitation Rate Study

A report was presented on the follow-up of the City's sanitation rate study. Commissioner Moore did not understand the memorandum as it related to palm fronds. Mr. Greg Kisela, Assistant City Manager, stated that the program was continuing, and it had expanded into a weekly bulk trash program. Therefore, staff wanted to rein it back in to just collecting the Royal palm fronds. Commissioner Hutchinson agreed people had been taking advantage of it.

Commissioner Katz thought it sounded as if people pulled their fronds out to the curb, and they were being collected. Commissioner Hutchinson explained that people were adding other items to take advantage of the service. Commissioner Katz asked if it was costing \$1,100 per week. Mr. Kisela advised it cost about \$50,000 per year to collect only the Royal palm fronds in the medians and in the Las Olas Isles. He explained that the intent had been to collect the fronds that could cause traffic problems. Commissioner Katz wanted the same luxury service in other neighborhoods.

Mr. Kisela explained that this had started out in the Las Olas Isles. Commissioner Moore felt the City should collect the fronds that were in the public right-of-way, and every other neighborhood should be treated the same way. Commissioner Smith pointed out that this service had been provided in the Isles for a very long time and felt entitled to it. He favored continuing it. Commissioner Moore had no objection to dealing with the medians, but he did not feel one neighborhood should receive services other neighborhoods did not.

Commissioner Smith thought this item should be deferred because the citizens had not been notified that the Commission was considering eliminating this service. It was the consensus to defer this particular issue to July 10, 2001 to allow proper notice.

Commissioner Katz understood the sanitation rate study called for no change in the monthly cart rate for single-family customers, but the budget message called for a 3% increase. The City Manager stated that staff had found a way to equalize the funds through the Resource Recovery Board so the 3% increase was no longer necessary.

Action: Approved with exception of palm front collection issue, which was deferred to July 10, 2001.

II-D – Fleet Plan for Fiscal year 2001/2002

A report was presented on the City's proposed fleet plan for fiscal year 2001/2002.

Action: Approved contingent on budget.

OB – Police Department Vacancy Rate

The Police Chief reported that the Police Department currently had 35 positions open for sworn officers, but the vacancy rate was near zero in detention. He noted that more than \$100,000 had been invested in recruitment efforts through salary savings, but it was a highly competitive market.

Mayor Naugle asked if overtime was being used. The Police Chief replied that he was using overtime to the extent allowed under budget constraints, and it was used sparingly.

Commissioner Smith felt the Commission should be informed when there were more than 25 vacancies in the Police Department, perhaps during the City Manager Reports section of Conference agendas. Mayor Naugle thought salary savings should be used for overtime whenever necessary to achieve sufficient man hours. Commissioner Smith understood the occasional need, but it was an expensive way to handle the problem.

Commissioner Moore thought something was being done wrong if the City could not recruit officers. In fact, if it had taken an excessively long time to fill vacancies, it would appear those positions were not really needed. The Police Chief said that the Department could always establish optimum staffing levels in response to complaints, etc., but this many vacancies had a long-term negative impact. Therefore, it was his goal to fill all vacancies as quickly as possible. The Police Chief advised that he could provide regular status reports, and a good candidate pool had been established during the last testing process.

Mr. Tom Mangifesta, President of the Fraternal Order of Police, stated that when staffing levels fell to a dangerously low level, the Police Chief authorized overtime, but it was something that was used very prudently. He added that the market was very competitive at this time, and new recruits were shopping around in terms of benefits, etc. At this time, officers were being reassigned, and they were not using their vacation time because staffing levels were so low.

Action: As discussed.

At 6:02 P.M., the meeting was recessed. It was reconvened at 8:45 P.M.

IV – City Commission Reports

1. Palm Aire Park

Commissioner Katz asked that a sign be posted at Palm Aire Park indicating that the bond money was being used for the project. She stated that it had been 5 years, and no one knew what was happening in that location. Mr. Vince Gizzi, Parks & Recreation Department, stated that signage could be posted. He added that the project was now moving forward so accurate dates could be posted on the property.

Action: As discussed.

2. Winterfest Holiday Lighting

Commissioner Katz noted that several Commissioners had traveled to Boston in December, and they had noticed the fabulous lights around that City for the holiday season. She thought it would be great if that could be done in Fort Lauderdale, and someone involved in Winterfest had suggested the Commission write a letter and that organization might pursue the idea. Commissioner Smith understood Donald Trump was going to be the Grand Marshall this year.

Action: Letter to be sent to Winterfest.

3. Coastal Cities Consortium

Commissioner Katz various situations had arisen in the past, and she thought it would be a good idea for the coastal cities to form some sort of consortium. Mayor Naugle recalled that there had been a Coastal League of Cities in the past, and it had been difficult to sustain the group over a long period of time without a specific charge. Commissioner Katz was concerned about issues like beach maintenance, beach transit, beach traffic and other issues that did not affect communities to the west.

Commissioner Katz believed that Hollywood, Dania Beach, Pompano Beach and Fort Lauderdale were all facing the same urban problems. Mayor Naugle noted that she had mentioned transportation issues, and there were MPO issues. Commissioner Moore added that the gas tax was another problem in terms of monies being returned to coastal cities under the current allocation methodology. She suggested that the coastal cities come together to address particular issues, perhaps with the gas tax being the first. Mayor Naugle asked staff to do the math to see if the population existed to reach the 50% +1 threshold. Commissioner Moore thought the population might exist if the coastal cities were combined. Commissioner Smith noted that Deerfield Beach should be considered as well. Commissioner Smith understood the transportation concurrency exemption would soon be lost on the east side because the County Commission had a new transit concurrency plan.

It was the consensus of the Commission to put the issue of the gas tax on an upcoming Conference agenda for consideration of forming a coastal consortium.

Action: As discussed.

4. Wingate Site

Commissioner Moore reported that he had attended a Community Advisory Council meeting recently with regard to the closure and reuse of the Wingate site. He wanted to applaud the individuals working with the community and keeping everyone informed. Commissioner Moore advised that a suggestion had been made to reuse the land for open green space as a first priority, with a mixed use as a second priority. He reported that the cleaning of the site was moving rapidly, and it was about to be capped. Mr. Greg Kisela, Assistant City Manager, expected capping of the site in August or September.

Commissioner Moore stated that a comment had been made at the Council meeting last night that recommendations about reuse should be moved forward swiftly because the capping would soon take place. He felt the Commission should take a position on the reuse. Commissioner Moore said that area residents unanimously supported the idea of using this space as a golf course to increase surrounding property values. It was his understanding that the site was a little more than 62 acres, and the County had some parks bond issue money. He noted that a site to the north was currently being used for construction materials that was about 36 acres.

Mr. Kisela stated that there was a total of 40 acres to the north of the site, and about 32 acres were wet, but there were almost 10 acres of dry land. Commissioner Moore had met with the County Administrator and the district County Commissioner in this regard. Although no commitments had been made, the County Administrator wanted to evaluate the idea, and Commissioner Eggeleton was supportive. Commissioner Moore stated that the community supported the idea of using the site for a golf course or some derivative of golfing such as golf clinics or as an executive golf course.

Commissioner Smith asked if it would be a municipally-run golf course. Commissioner Moore advised that another meeting of the Community Advisory Council was scheduled for July 16, 2001, and the intent was to build consensus in this regard. He asked that the subject be placed on the Commission's July 17, 2001 Conference agenda so the issue could be addressed expeditiously.

Mayor Naugle believed there had been discussion about a golf course in this location for some time and wondered if any work had been done on a potential design. Commissioner Moore did not believe so, although someone had done a little sketch some years ago. He also wanted the Commission to consider a certain dollar amount so some entity could examine the acreage with this use in mind.

Mr. Kisela understood there were marketing studies available for a modest amount of money that would examine the likelihood of a golf course being successful in this location based on the demographics. He stated that the capping of the site would be completed in August or September, and the property would have to be reconfigured for any reuse because the Consent Order required completion on this time frame.

Commissioner Moore supported the idea of spending \$10,000 to \$15,000 for a marketing assessment. Mayor Naugle was comfortable with the idea if the cost did not exceed the amount that could be approved administratively. It was agreed.

Commissioner Moore stated that the community liked the idea of a golf course because they usually involved a club house. He explained that there was no other facility in the area that could be used for banquets, etc., and there were opportunities to provide education in the culinary arts at such a facility. In addition, there were educational opportunities associated with turf building and maintenance of the grounds.

Action: Approved as discussed.

5. Broward League of Cities Luncheon

Commissioner Moore reported that Fort Lauderdale would be hosting the Broward League of Cities meeting on July 5, 2001 at City Hall at noon. He complimented staff on their efforts to put this event together and hoped the Commissioners would attend.

Action: None.

6. State Neighborhood Conference

Commissioner Hutchinson reported that the State Neighborhood Conference was scheduled for September 7 and 8, 2001 in Orlando, and buses would be available to make the trip. She also noted that several City departments had prepared a great exhibit when the Conference had been held in Fort Lauderdale last October, and she hoped a similar exhibit could be prepared for the Orlando Conference.

Action: As discussed.

7. Code Enforcement

Commissioner Hutchinson gave the City Manager photographs of 2 properties. One definitely appeared to be a candidate for consideration by the Unsafe Structures & Housing Appeals Board.

Action: As discussed.

8. Palm Tree Farm

Commissioner Smith said he had received a letter from the owner of a palm tree farm near the Airport, and he asked if a recommendation would be presented. Mr. Kisela hoped to present something in July but, if not, a recommendation would be provided in September. He had received a copy of the letter and staff was evaluating the issues. Commissioner Smith thought it would be a good idea to let this operator use the City's tree farm in exchange for producing trees for the City instead of making lease payments.

Action: As discussed.

9. Tree Canopy Resolution

Commissioner Smith understood the City Commission had been asked to adopt a resolution of support for Broward County's tree canopy. Mayor Naugle believed the resolution had referenced some plan, and he had requested a copy of the plan so he would know what was being supported. It sounded like a good idea, but he did not feel he had sufficient information yet.

Action: Staff to provide additional information.

10. Underage Club Patrons

Commissioner Smith asked the City Attorney about the status of the ordinance controlling underage club patrons. The City Attorney replied that an extensive motion for rehearing and reconsideration had been submitted, and the entire matter would be reheard on Friday morning. He noted that the whole ordinance had not been declared unconstitutional, and he believed there were arguments to be made in favor of the military exemption, which had been the only flaw the court found in the ordinance. He agreed to provide an update after the hearing on Friday.

Action: Staff to provide update.

11. Computer Access at Housing Authority Sites

Mayor Naugle said he had recently received a request from the Housing Authority, which was trying to set up Internet accessible computers at 9 public housing sites and had asked for any computers that had been taken out of service. He passed the information to the City Manager and supported anything the City could do to support this effort. Commissioner Moore noted that the ITC Committee also supported programs of this nature. He said he would contact AT&T to see if there was any private sector support.

Action: As discussed.

12. Broward County Human Rights Board

Mayor Naugle reported that he had attended a meeting of the Broward County Human Rights Board, and he hoped the City Manager would be given an opportunity to make a presentation before the County Commission considered its recommended resolution. The City Manager said he had been in touch with the County Administrator and the Human Rights Division Director as to when the County Commission would be considering this matter. As soon as he received confirmation, he would request to be heard on the item or provide written materials.

Action: As discussed.

V – City Manager Reports

1. Vision 2011

The City Manager said he had been asked to consider a joint recommendation from Mayor Naugle and Commissioner Smith respect to Vision 2011 as to traffic and transportation issues. He advised that he would send a Friday memo to the Commission in this regard.

Action: Staff to provide report.

2. Cherry Building

The City Manager recalled that the Commission had authorized extension of the time period to receive bids on relocation of the Cherry Building. Everyone had been given until yesterday to submit proposals with the additional \$5,000 contribution authorized by the Commission. He explained that the site had to be removed no later than July 5, 2001. The City Manager asked that the Commission authorize him to move forward if an appropriate proposal was received because the Commission would not be meeting again until July 10, 2001.

Mayor Naugle noted that if the building could not be saved, there were a lot of materials that could be salvaged such as the historical awnings. He believed there was a habitat organization with a building supply facility that might be able to strip some of the suitable building material.

Motion made by Commissioner Moore and seconded by Commissioner Smith authorizing the City Manager to move forward as necessary to meet the July 5, 2001 deadline. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

III-B – Advisory Board Vacancies

1. Aviation Advisory Board

The Commission wished to reappoint Steve Stella, Robert Hord, Tom Newman, Brad Hubert, Bob Hodges, John McGinnis, Dr. Lee Alexander, Mildred Hightower, and Jack Brewer to the Aviation Advisory Board.

Action: Formal action to be taken at Regular Meeting.

2. Beach Redevelopment Advisory Board

Action: Deferred.

3. Board of Adjustment

Mayor Naugle noted that Board of Adjustment members had traditionally served on the Planning & Zoning Board first, although there had been some exceptions made to that policy. He was not sure the Board of Adjustment was the best board for someone who was serving as a board member for the first time. Commissioner Smith suggested that Kevin Buckley be invited to interview for the position.

Action: Deferred.

4. Board of Commissioners of the City of Fort Lauderdale Housing Authority

Mayor Naugle wished to appoint Ruby Slaton to the Housing Authority Board of Commissioners.

Action: Formal action to be taken at Regular Meeting.

5. Budget Advisory Board

Action: Deferred.

6. Community Appearance Board

Action: Deferred.

7. Community Services Board

Action: Deferred.

8. Economic Development Advisory Board

Action: Deferred.

9. Education Advisory Board

Commissioner Hutchinson wished to appoint a senior from St. Thomas Aquinas High School to the Education Advisory Board – Ms. Jessica Pollini. Commissioner Hutchinson described her background.

Action: Formal action to be taken at Regular Meeting.

10. Historic Preservation Board

Mayor Naugle wished to appoint Margi Glavovic Nothard, Architect, and William Saunders to the Historic Preservation Board. Commissioner Smith appointed Chris Eck.

Action: Formal action to be taken at Regular Meeting.

11. Northwest-Progresso-Flagler Heights Redevelopment Advisory Board

Action: Deferred.

12. Unsafe Structures & Housing Appeals Board

Action: Deferred.

Meeting adjourned at 9:30 P.M.

NOTE: A MECHANICAL RECORDING HAS BEEN MADE OF THE FOREGOING PROCEEDINGS, OF WHICH THESE MINUTES ARE A PART, AND IS ON FILE IN THE OFFICE OF THE CITY CLERK FOR A PERIOD OF TWO YEARS.